

The opinion in support of the decision being  
entered today is not binding precedent of the Board

Filed by: Trial Section Merits Panel  
Mail Stop INTERFERENCE  
Board of Patent Appeals and Interferences, USPTO  
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Paper No. 49

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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JAMES E. MARTIN, ROBERT C. HUGHES,  
and ROBERT A. ANDERSON

Junior Party  
(Patent No. 6,194,769)<sup>1</sup>

v.

STEVEN SUNSHINE and BETH C. MUNOZ

Senior Party  
(Application 10/083,984)<sup>2</sup>

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Patent Interference No. 105,221

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Before SCHAFER, LEE and NAGUMO, Administrative Patent Judges.  
LEE, Administrative Patent Judge.

**Judgment – Bd. Rule 127(b)**

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<sup>1</sup> Based on Application 09/323,172, filed May 27, 1999. The real party in interest is Sandia Corporation.

<sup>2</sup> Filed February 27, 2002. Accorded the benefit of Application 09/600,346, filed November 9, 2000; Application 09/201,999, filed December 1, 1998; and PCT application PCT/US99/28282, filed November 30, 1999. The real party in interest is Smiths Detection-Pasadena, Inc.

Interference No. 105,221  
Martin v. Sunshine

Senior party Sunshine has requested entry of adverse judgment (Paper No. 45). The request is **granted**. It is

**ORDERED** that judgment as to the subject matter of Count 1 is entered against the senior party STEVEN SUNSHINE and BETH C. MUNOZ;

**FURTHER ORDERED** that the senior party STEVEN SUNSHINE and BETH C. MUNOZ is not entitled to its application claims 48-50 which correspond to Count 1;

**FURTHER ORDERED** that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and Bd. Rule 205;

**FURTHER ORDERED** that a copy of this judgment be filed in the respective involved application or patent of the parties.

Interference No. 105,221  
Martin v. Sunshine

By Facsimile:

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